

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RUBLOFF DEVELOPMENT GROUP, INC.,)	
RUBLOFF MUNDELEIN LLC,)	Case No. 1:10-cv-03917
MCVICKERS DEVELOPMENT LLC,)	
MCVICKERS NEW LENOX LLC,)	Hon. Harry D. Leinenweber
MCVICKERS COOPER LLC,)	
MCVICKERS HICKORY CREEK LLC,)	
MCVICKERS TONNELL LLC,)	
MCVICKERS WILLIAMS LLC,)	
)	
Plaintiff,)	
)	
vs.)	
)	
SUPERVALU INC., d/b/a JEWEL-OSCO and)	
THE SAIN CONSULTING GROUP, INC.,)	
)	
Defendants.)	

DEFENDANT SUPERVALU INC.'S MOTION TO DISMISS

Defendant, Supervalu Inc., respectfully moves to dismiss Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). In support thereof, Supervalu Inc. refers to its accompanying Memorandum of Law filed contemporaneously with this Motion.

SUPERVALU INC.

By: /s/Martin B. Carroll
One of Its Attorneys

Martin B. Carroll (mcarroll@fhslc.com)
FOX, HEFTER, SWIBEL, LEVIN & CARROLL, LLP
200 West Madison Street, Suite 3000
Chicago, Illinois 60610
Telephone: (312) 224-1200

Martin R. Lueck (mrlueck@rkmc.com)
Bruce D. Manning (bdmanning@rkmc.com) (admitted in
the Northern District of Illinois)
Michael D. Reif (mdreif@rkmc.com)
ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015
Telephone: 612-349-8500

CERTIFICATE OF SERVICE

I, Martin B. Carroll, certify that on July 20, 2010, I caused the foregoing to be electronically filed with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Thomas J. Frederick
Neil M. Murphy
Renee Sotos
Joanna C. Wade
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
Telephone: 312-558-5600
Email: tfrederick@winston.com

By: /s/ Martin B. Carroll